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By: **Delegate Rudolph**

Introduced and read first time: March 5, 2001

Assigned to: Rules and Executive Nominations

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A BILL ENTITLED

1 AN ACT concerning

2 **Education - Public Schools - Student Population**

3 FOR the purpose of requiring a county board of education to the extent feasible to  
4 establish, and the State Superintendent of Schools to encourage the  
5 establishment of, new public elementary, middle, and secondary schools to serve  
6 certain maximum student populations.

7 BY repealing and reenacting, with amendments,  
8 Article - Education  
9 Section 4-109  
10 Annotated Code of Maryland  
11 (1999 Replacement Volume and 2000 Supplement)

12 **Preamble**

13 WHEREAS, Research indicates that smaller school size is the second most  
14 important factor in creating positive educational outcomes, after socioeconomic  
15 status; and

16 WHEREAS, Research related to school size indicates that elementary and  
17 middle schools with between 300 and 400 students and secondary schools with  
18 between 400 and 800 students are more effective than schools with larger student  
19 populations; and

20 WHEREAS, Smaller school size promotes learning and improves grades and  
21 test scores of students, especially minorities and low income students; and

22 WHEREAS, Research shows that school dropout rates decrease in small schools;  
23 and

24 WHEREAS, Student behavioral problems, including truancy, classroom  
25 disruption, vandalism, aggression, theft, alcohol and substance abuse, and gang  
26 participation, occur more often in larger schools; and

27 WHEREAS, Creating smaller schools and smaller learning communities within  
28 larger schools promotes school safety; and

1 WHEREAS, Small schools reduce the feeling of isolation, allow students to form  
2 closer relationships with teachers, and create a sense of student loyalty to and pride  
3 in the school; and

4 WHEREAS, Researchers have concluded that the first step in ending secondary  
5 school violence is to break through the impersonal atmosphere of large secondary  
6 schools by creating smaller learning communities within large schools; and

7 WHEREAS, Research demonstrates that students who attend smaller schools  
8 are more likely to participate in extracurricular activities and to participate in a  
9 greater variety of extracurricular activities; and

10 WHEREAS, Large schools contribute to negative teacher attitudes and low staff  
11 morale; and

12 WHEREAS, Small schools can be established in a cost effective manner, as the  
13 sheer size of larger schools requires more administrative support; now, therefore,

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article - Education**

17 4-109.

18 (a) Subject to approval by the State Superintendent and in accordance with  
19 the applicable bylaws, rules, and regulations of the State Board, a county board may  
20 establish a public school if, in its judgment, it is advisable.

21 (b) On approval by the State Superintendent, any school established under  
22 this section becomes a part of the State program of public education.

23 (c) With the advice of the county superintendent, the county board shall  
24 determine the geographical attendance area for each school established under this  
25 section.

26 (D) A COUNTY BOARD SHALL TO THE EXTENT FEASIBLE ESTABLISH, AND THE  
27 STATE SUPERINTENDENT SHALL ENCOURAGE THE ESTABLISHMENT OF, NEW  
28 PUBLIC SCHOOLS TO SERVE THE FOLLOWING MAXIMUM STUDENT POPULATIONS:

29 (1) FOR AN ELEMENTARY SCHOOL - 400 STUDENTS;

30 (2) FOR A MIDDLE SCHOOL - 600 STUDENTS; AND

31 (3) FOR A SECONDARY SCHOOL - 800 STUDENTS.

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
33 July 1, 2001.